

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

DALE KAYMARK, Individually and on	)	
behalf of other similarly situated current	)	
and former homeowners in Pennsylvania	)	Civil Action No. 13-419
	)	
Plaintiff,	)	Judge Cathy Bissoon
	)	
v.	)	
	)	
UDREN LAW OFFICES, P.C.,	)	
	)	
Defendant.	)	

**MEMORANDUM ORDER**

Having considered Magistrate Judge Eddy’s ruling dated April 4, 2018 (Doc. 151), Plaintiff’s Objections (Doc. 156) and Defendant’s Response (Doc. 157), the Objections are **OVERRULED**. The Court agrees with Defendant that Judge Eddy’s ruling was neither clearly erroneous nor contrary to law. The Court also agrees that the issue of insurance coverage is irrelevant to the attorney’s fees issue currently pending before the Court.

Further, even assuming, *arguendo*, that Plaintiff was at one point entitled to insurance coverage information, Judge Eddy correctly found that Plaintiff’s Motion to Compel (Doc. 139) was untimely. “Generally, where, as here, a court does not set a deadline for the filing of motions to compel, such motions filed after the expiration of the discovery deadline have been deemed untimely.” Zimmerman v. Edwin A. Abrahamsen & Assocs., P.C., No. 15-CV-1174, 2017 U.S. Dist. LEXIS 137629, at \*9-10 (M.D. Pa. Aug. 28, 2017); see also, Courtney v. Ivanov, 2016 U.S. Dist. LEXIS 46519, at \*7-8 (W.D. Pa. Apr. 6, 2016). As Judge Eddy noted at the April 4, 2018 telephonic conference, the parties’ discovery deadline was extended several times throughout this litigation without any mention of a potential discovery dispute. See, Transcript,

9:5-25, Doc. 155. Instead of moving to compel during discovery, Plaintiff waited until more than three months after Judge Eddy granted the last discovery extension (Doc. 125). Plaintiff's Motion to Compel is simply untimely. Accordingly, Judge Eddy's April 4, 2018 ruling is hereby **AFFIRMED**.

IT IS SO ORDERED.

May 14, 2018

s/Cathy Bissoon  
Cathy Bissoon  
United States District Judge

cc (via ECF email notification):

All Counsel of Record